REMARKS

Claims 1-5 and 7-17 are pending in the present application. Claim 1 is amended to add the accidentally omitted word "and' before the last clause and to incorporate the subject matter of claim 6 and claim 6 is cancelled. Amended claim 1 contains no new matter and is supported by the specification, including Figure 2, page 7 lines 20-26, and originally filed claim 6. Claim 9 is amended to correct a typo.

The Office Action rejected claims 1-5 and 7-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,243,713 to Nelson et al. ("Nelson") in view of U.S. Patent 6,460,036 B1 to Herz ("Herz").

Applicant respectfully traverses these rejections because the combination of Nelson and Herz does not teach or suggest all the elements in claims 1-5 and 7-17, as shown below. A *prima facie* case of obviousness has not been established. Accordingly, Applicant believes claims 1-5 and 7-17 to be allowable and requests reconsideration.

Amended claim 1 recites, *inter alia*, that "decomposing the query document into different data types, including a layout data type indicating the arrangement of the different data types within the query document" and "combining the match results from the first data type similarity search and the second data type similarity search with the layout data type to provide query document match results." Applicant is unable to find any teaching or suggestion of using such a "layout data type" in similarity searching in the proposed combination of Nelson and Herz. Herz is directed to a system and method for creating "a target profile interest summary," which is evaluated for advertising purposes. (Herz, abstract). In contrast to using a layout data type as in claim 1, Nelson merely stores "position information" indicating where a component is located in a file. (Nelson, col. 9, lines 18-53). Specifically in Nelson, "[t]he position data may be character position, byte, offset, word count, or any other useful unit indicating relative location of the component within the document." (Nelson, col. 9, lines 46-48). This is

completely different and not as useful as the claimed "layout data type" because it cannot be searched or matched as efficiently. It is a data type, not merely any information about layout.

The description and examples of the layout data type in Applicant's specification and may aid the Examiner in further understanding the claimed layout data type:

> Layout similarity searching, whether used on its own or as one of the elements in a combined search as described in the first aspect of the invention, is more powerful if a number of different data types are used for text and for overall document type. Using a rule-based approach, different text blocks and whole documents, especially in the case of formal workflow documents, can be assigned particular functions with relatively high confidence. For example, it is well known that isolated text blocks at the top of a page and handwriting at the bottom are suggestive of a letter, and so different spatial regions of the document can be assigned to appropriate functional fields (address, letter, text etc) - likewise table and currency totals in a document to another group (bill, quote or invoice). Layout searching can thus involve matching to templates representing different workflow document types (thus promoting matching of a document determined to be a letter against other letters). (Applicant's specification, page 7 line 32 to page 8 line 10).

One can see that it would be much easier to match a letter to another letter knowing that it has the layout data type of a letter, rather than to try to match something merely knowing that text begins one inch from the top of the file and an image is two inches from the end of the text and so on. In addition, a layout data type in similarity searching is not inherent in Nelson because the pile of details about location in Nelson simply do not add up to the big picture kind of "layout data types" in claim 1.

For the same reasons set forth above regarding the patentability of claim 1, a *prima facie* case of obviousness is also not established with respect to dependent claims 2-5 and 7-13, which depend directly or indirectly from claim 1 and, thus, contain at least the patentable elements of claim 1. Applicant requests reconsideration of claims 1-5 and 7-13.
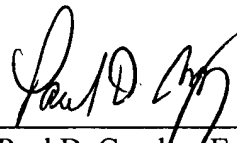
Claim 14 recites "for the layout element, conducting a layout similarity search to return match results from the database for the layout element." For the same reasons discussed above for claim 1, the combination of Nelson and Herz does not make obvious that which is recited in claim 14.

A *prima facie* case of obviousness is also not established with respect to dependent claims 15-17, which depend directly or indirectly from claim 14 and, thus, contain at least the patentable elements of claim 14. Applicant requests reconsideration of claims 14-17.

In view of the foregoing, Applicant respectfully submits that all of the claims in the present application are patentably distinguishable over the references cited in the Office Action. Accordingly, Applicant respectfully requests reconsideration and that the claims be passed to allowance.

Respectfully submitted,

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Date

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